

CHAPTER 235

AN ACT concerning public safety wireless communications and establishing a State Public Safety Interoperable Communications Coordinating Council.

BE IT ENACTED by the Senate and General Assembly of the State of New Jersey:

C.52:17E-1 Short title.

1. This act shall be known and may be cited as "The Public Safety Interoperable Communications Act."

C.52:17E-2 Findings, determinations, declarations relative to public safety interoperable communications.

2. a. The Legislature finds and determines that:

Public safety communications systems must support a growing set of missions, such as response to weapons of mass destruction and domestic terrorism, requiring coordinated participation from agencies at all levels of government;

Interoperability is the ability of different governmental agencies to communicate across jurisdictions and with each other;

Public safety agencies in New Jersey currently operate on a variety of frequencies and communications systems that are not compatible and do not provide direct communications;

Police, fire and rescue responders at the State, county and municipal levels need the ability to communicate and coordinate with each other in their day-to-day operations, as well as in emergencies, and to communicate and coordinate their emergency response activities with members of the National Guard;

New Jersey is geographically assigned to two Regional Planning Committees established by the Federal Communications Commission, Region 8 for the New York Metropolitan Area and Region 28 for the South Jersey area, which underscores the need for Statewide coordination of communications resources in large-scale disasters.

b. The Legislature declares that:

It is necessary and appropriate to establish a mechanism, which may draw upon federal, State and local resources and expertise, in order to facilitate necessary improvements in the coordination of public safety communications through improved interoperability, which may be accomplished through planning and implementation involving both State and local officials.

C.52:17E-3 State Public Safety Interoperable Communications Coordinating Council.

3. There is established in the Department of Law and Public Safety a State Public Safety Interoperable Communications Coordinating Council, which shall develop a Statewide Wireless Public Safety Interoperable Communications Strategic Plan to address interoperability and the use of digital technology in public safety communications. The council shall coordinate its activities, as appropriate, with the federal Regional Planning Committees to which the State is assigned by the Federal Communications Commission.

C.52:17E-4 Membership of council.

4. The council shall consist of 16 members as follows:

- a. The Attorney General, ex officio, or a designated representative;
- b. The Superintendent of State Police, ex officio, or a designated representative;
- c. The Commissioner of Transportation, ex officio, or a designated representative;
- d. The Commissioner of Corrections, ex officio, or a designated representative;

- e. The Commissioner of Environmental Protection, ex officio, or a designated representative;
- f. The Commissioner of Health and Senior Services, ex officio, or a designated representative;
- g. The Commissioner of Community Affairs, ex officio, or a designated representative;
- h. The Adjutant General of the Department of Military and Veterans' Affairs, ex officio, or a designated representative;
- i. The President of the Board of Public Utilities, ex officio, or a designated representative; and
- j. Seven members to be appointed by the Attorney General, including a representative of the Office of Information Technology, a representative of the New Jersey Transit Corporation, a representative of the New Jersey State Fire Chiefs' Association or the New Jersey Career Fire Chiefs Association, a representative of the New Jersey State Association of Chiefs of Police, a representative of the Sheriffs' Association of New Jersey, a representative of the Division of Fire Safety in the Department of Community Affairs, and representative of the emergency medical services community.

C.52:17E-5 Chairperson; compensation; vacancies.

5. The Attorney General or his designee shall act as chairperson of the council. Members of the council shall serve without compensation, except for reimbursement of reasonable expenses incurred in the performance of their duties, within the limits of any funds appropriated or otherwise made available for that purpose. Any vacancy in the membership of the council shall be filled in the same manner as the original appointment.

C.52:17E-6 Development of Statewide strategic plan.

6. The council shall develop a Statewide strategic plan to most effectively provide interoperability and coordinate public safety communications between and among State, county and municipal public safety agencies. The council shall submit the plan to the Governor and the Legislature no later than one year following the original appointment of all members and shall submit recommendations and proposals, as appropriate, to the Regional Planning Committees to which the State is assigned by the Federal Communications Commission.

C.52:17E-7 Spectrum manager.

7. The council shall engage a full-time professional spectrum manager, who shall be responsible for approving all applications for public safety spectrum allocations in the State to ensure that the State fully complies with Federal Communications Commission rules that impact frequency allocation for public safety use.

C.52:17E-8 Provision of administrative staff, support services.

8. Administrative staff and support services shall be provided by the Department of Law and Public Safety. The council shall also be entitled to call to its assistance and avail itself of the services of the employees of any State, county or municipal law enforcement, fire department, paid or volunteer, rescue squad or other department or agency as it may require. State, county and municipal agencies shall cooperate with council in providing information and other data as may be requested.

9. This act shall take effect immediately.

Approved January 9, 2004.
